

REMARKS

The Office Action dated March 9, 2009 has been received and considered. Claims 6, 9, 10, 13, 19, 36, and 39 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,693,912 to Wang in view of U.S. Publication No. 2002/0186660 to Bahadiroglu, that combination further in view of U.S. Patent No. 6,618,397 to Huang, that combination further in view of U.S. Publication No. 2003/0055594 to Bunker, and that combination further in view of U.S. Patent No. 6,594,699 to Sahai. The rejection is hereby respectfully traversed for at least the following reasons.

Independent claims 6 and 36 have been amended to clarify that the data is adapted by changing the protocol and by implementing a compression mechanism. For example, when transitioning from a network capable of handling a multicast data stream to a network unable to handle a multicast data stream, the data stream must be adapted from a multicast protocol to a unicast protocol. Additionally, claims 6 and 36 require requesting new programming for adapting the data from an administrator upon detecting a change in the quality of service parameters.

Wang discloses a method for an end user to gain control over Quality of Service as an active packet travels from one network to another through a series of active gateways. The USPTO acknowledges that Wang failed to disclose requesting new programming for adapting the data. Accordingly, the USPTO turned to Bahadiroglu. However, Bahadiraglu discloses adjusting the transmitted packet size and inter-packet interval in real time to that optimum for the current network and connection bandwidth (see para [0071]). Disclosure of realtime adjustments of packet size and inter-packet interval do not disclose or suggest requesting new programming in response to a change in quality of service parameters, but rather automatic changes to transmission parameters in response to the current load on the network segment. Accordingly, Wang and Bahadiraglu do not disclose requesting new programming for adapting the data, let along requesting from an administrator.

The USPTO further cites Huang for disclosure of compression mechanisms for network packets, Bunker for disclosure of well-known types of networks, and Sahai for disclosure of file servers. None of the cited references, alone or in combination, disclose or suggest requesting

new programming for adapting the data, let along requesting from an administrator. Further, none of the cited references, alone or in combination, disclose or suggest adapting the data by changing the protocol.

It is therefore respectfully submitted that independent claims 6 and 36 are in condition for allowance. Remaining claims 9, 10, and 39 depend from claims 6 or 36 and are thus allowable for at least the same reasons.

Additionally, new claims 49-53 drawn to a system for distributing multimedia content have been added. Claim 49 recites a source server configured to provide a multicast stream and a plurality of dispersed media servers. Each media server is configured to adapt the multicast media stream to provide a unicast multimedia stream conforming to the quality of service requirements of a down stream network segment and to relay the multimedia stream through the downstream network segment to a recipient computer.

CONCLUSION

Applicant believes this application is now allowable. If the Examiner has any questions or comments, he is invited to telephone the undersigned. Applicant does not believe that additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

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